THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.15944 OF 2007

ORDER :

The petitioner is a wholesale dealer in kerosene.

This writ petition is filed seeking a declaration that the proceedings of the respondent – District Collector (CS), Adilabad dated 10.7.2007 under which the allotment of kerosene to the petitioner was withheld with effect from 7/2007 as arbitrary and illegal.

A perusal of the impugned proceedings dated 10.7.2007 shows that the petitioner committed default in remitting the differential cost of kerosene payable to the price equalization fund w.e.f. 5/2006 in spite of repeated reminders and as on January, 2007 a sum of Rs.6,01,082/- was due. On account of failure of the petitioner to remit the said amount, the respondent ordered withholding allotment of kerosene oil to the petitioner w.e.f. 7/07 till the amount due is realized. Under the impugned proceedings, one Ch.Viswanath, HPC Limited, Adilabad was kept as in-charge dealer.

The petitioner contends that the impugned notice issued by the respondent without granting installments for payment of the amount due is arbitrary and illegal.

Having heard the learned Counsel for the petitioner and having considered the material on record, I do not find any justifiable reason to hold that the impugned order is either arbitrary or illegal. As noticed above, admittedly the impugned order was issued consequent to the failure of the petitioner for payment of the amount in question in spite of several reminders. The request of the petitioner to permit him to pay the amount in installments was also considered and rejected by the respondent since it is not permissible as per the instructions of the Commissioner of Civil Supplies, A.P., Hyderabad, dated 15-12-2006. As could be seen from the version in the writ petition, there is no dispute about the liability of the petitioner to pay the differential cost in

question.

In the circumstances, the impugned order directing withholding allotment of kerosene to the petitioner till the amount due is realized warrants no interference by this Court.

Accordingly, the Writ Petition is dismissed. No costs.

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G. ROHINI, J.

Dt. 26-07-2007
kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.15944 OF 2007

26th July, 2007.

Between:

M/s Satya Jyothi Enterprises IBP
Luxttipet, Adilabad District,
Represented by its Proprietor - N. Ashanna. .. Petitioner.

And

The Government of A.P., represented by its
District Collector, (C.S.), Adilabad,
Adilabad District. .. Respondent.